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TESTIMONY OF LARRY MCKENNEY

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COUNTY OF ORANGE, CALIFORNIA

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COMMITTEE ON RESOURCES

UNITED STATES HOUSE OF REPRESENTATIVES

Good morning, Mr. Chairman, Congressman Cox, and other distinguished Members of this Committee. My name is Larry McKenney, and I manage the Watershed and Coastal Resources Division of the Public Facilities and Resources Department in the County of Orange. I appreciate the opportunity to testify before you today on HR 1598 and to discuss the water resources that it would help to protect. I am grateful to Congressman Cox for introducing this bill, and also to Senator Feinstein for the related bill in the Senate.

The County of Orange exists to provide for and protect the health and welfare of its citizens. That includes water resources, both the adequacy of the supply of potable water, and the quality of water in our streams and on our beaches. In particular, our bays and beaches are very important because of their national ecological significance and because they are the beating heart of the Orange County economy.

We are fortunate in Orange County to have a number of special districts, like the Irvine Ranch Water District, that bring to bear great expertise in addressing the water and wastewater service needs in the County. These water resources issues are critically important in a densely urbanized region that cannot survive on the amount of local water that is naturally available. Several of our cities also have water and sewer departments. The County itself is not a water supplier, but has other water resources interests and has been a leader in the watershed approach that Mr. Brady mentioned. Our approach is to look at water resources holistically within the physical system of a watershed, or single drainage area.

Water resources issues have a very high profile in Southern California. If the adequacy of our water supplies comes into question, even if the question is not justified, the public perception of a problem is acute. Similarly, any threat, even a merely perceived threat, to the quality of our recreational waters has a negative effect on tourism, the economy, and the quality of life of the residents and visitors in Orange County.

Starting more than ten years ago, Orange County began to look at watersheds as the proper scale for the management of our water resources. The County has led this effort, serving in different roles - as committee chair, as facilitator, as technical expert - in the thirteen different watersheds that comprise the County. The earliest example was in the San Diego Creek and Newport Bay watershed. As that watershed developed and an urban infrastructure was constructed, the County and its municipal partners and other stakeholders have kept a close watch on sediment, nutrients, and other water quality problems.

Orange County has taken a special interest in Upper Newport Bay. It is an ecological jewel, and is also a valuable recreational and aesthetic amenity. It has also been severely threatened by the effects of development in the San Diego Creek watershed, particularly from sediment, nutrients, and toxic metals. The County and other local stakeholders have partnered with the Army Corps of Engineers to address sediment issues, which affect not only habitat, but also navigability in the upper and lower bays. Notably, the Army is starting an ecosystem restoration project that will restore and improve significant habitat areas in the Bay. The most efficient solutions to some of the other problems facing the Bay must be implemented throughout the watershed, and not just at the bottom of the system. Not only is this approach more efficient, but it is substantially more effective in achieving multiple goals. By improving water quality further up in the watershed, the health of the stream channels all the way to ocean will benefit, rather than simply cleaning the water near the end of the system. More subtle, but more important, is the effect this approach has on our overall ability to manage water resources.

One interest the County has is that we are the lead permittee under two areawide municipal stormwater permits. All 34 cities in the County, and the Orange County Flood Control District, are co-permittees. Special districts, like Irvine Ranch Water District, are not covered by those municipal permits. Our permits

include provisions strongly supporting our own focus on the watershed approach. In implementing our stormwater program, we have created watershed groups that include the co-permittees with territory within the watershed, and also the special districts and property owners, business interests, and environmental and recreational interest groups who are active in the watershed. These groups do real work in helping the government agencies with responsibilities for resources to see their needs and interests in the context of the entire watershed, to balance often competing environmental concerns, and to agree on priorities.

An example of the conflicting interests typically found in an urban watershed is the need for flood protection, which conflicts with the need to conserve rainfall for water supply, and the need to maintain the health of ecosystems in rivers and streams. In the San Diego Creek watershed the Orange County Flood Control District is doing an excellent job of protecting developed property from damage from devastating floods. To achieve this, the Flood Control District has improved miles of channel to carry peak flows reliably and quickly, and has constructed detention basins to hold water and dampen the peaks of flood flows downstream.

One view of the world is that this flood control infrastructure has been a trade off, a major public investment in flood protection at the expense of the natural features and functions of our streams and waterways. The IRWD Natural Treatment Systems project changes the paradigm and sees these flood control facilities as an opportunity to retrofit water quality features into the flood control system. The proposal includes numerous sites throughout the area of the San Diego Creek watershed where wetlands would be created, often within flood control facilities. These wetlands will restore some of the lost functioning of the natural system, including filtering out water impurities, encouraging the recharge of groundwater, and enhancing the habitat values of the region. The approach capitalizes on the fact that the full capacity of the flood control facilities is not needed the vast majority of the time, and it can be available to carry flood flows when major rains do come.

Since Orange County cannot survive on its own local, natural water supply, we have use every other source to ensure a reliable supply. This includes importation, of course, as well as water conservation. It also means use of groundwater and surface water in a coordinated way to optimize supply - an approach called conjunctive use. And it also includes maximizing the recycling of water so that it gets used several times before being discharged to the ocean. All of these techniques are being used in Orange County, and you can see that this is, like our emphasis on watersheds, a systems approach. It provides the most benefit when we are able to use water from various sources with as much flexibility as possible. To be able to maximize recycled water use, use imported water from different sources at will, and manipulate groundwater levels, all in order to optimize water supply, and maintain flood carrying capacity in our streams, but without endangering the habitat values and overall water quality in our streams and channels, the natural systems within the channels need to be strong and healthy, robust enough to withstand foreseeable stresses.

IRWD's projects are great examples of innovation and technical excellence. The Natural Treatment Systems Project is one of those innovative concepts that seem entirely obvious once someone has described it. It truly illustrates the watershed approach in an urbanized watershed. Each of Orange County's thirteen watersheds is a unique situation in terms of problems, opportunities, partners, and priorities. In the San Diego Creek watershed, the Natural Treatment Systems project is the right approach, and we have stakeholders who are willing to work on it. My division, the Watershed and Coastal Resources Division, was created within the County to encourage collaboration and innovation between other County programs that touch water quality, including the flood control, transportation infrastructure, parks, and development planning. It is especially exciting to be able to work in the same way with other stakeholders within the County like IRWD who share that vision. The County and the Flood Control District are proud to be partners with IRWD. We are hopeful that the Bureau of Reclamation will be authorized to participate with us as well so that we can benefit from their knowledge and expertise with regard to constructed wetlands, water quality, and the systems approach to water supply management. Mr. Chairman, thank you for the opportunity to testify before you today. I am very excited about the great work that the Irvine Ranch Water District has done in my community and we look forward to partnering with the Bureau of Reclamation to ensure the project's success.

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